

REMARKS

Applicant respectfully request that the Examiner reconsider his rejections for the following reasons.

In this action, the Examiner rejected Claims 1-6 and 8-20 under 35 U.S.C. 102(b) as being anticipated by Fink (US 6,189,265).

To support this rejection the Examiner stated, "Fink discloses a swinging/sliding door mechanism comprised of a pair of doors 1, 2 having seals that mate with seals on the side of the vehicle. The door is has rollers 5, 7 that run on rails 6, 8, or hangers, at the top and bottom of the car. A rotatable drive spindle 12 operates the doors. An electric drive motor 10 rotates the spindle and a drive nut 21 engages the spindle. The movement of the nut and the spindle results in the opening and closing of the doors. A hanger bracket 3 is coupled to the drive means 10 and adapted for linear movement with the drive nut 21 when the spindle 12 is rotated to open and close the doors. A brake system in the form of clutch disks are attached to the spindle 12 and maintain the doors in a locked position, whether that be locked open or locked closed, it prevents the spindle 12 and drive nut 21 from moving the doors. The brake system is further comprised of an emergency actuating device which overrides the controls from the operator of the train to release the brakes and open the door. The signaling for the door to open

and close originates with the operator of the train at a remote location from the doors and the other sets of doors along the length of the train."

The Examiner's attention is directed to each of the independent claims 1, 5 and 16, wherein each of these claims specifically recite and positively claim a door sealing means. On the other hand the cited reference specifically states at column 5, lines 23-26, "This results in a substantial simplification in assembly because, for example, there is no longer any need to allow for rubber seals of varying width."

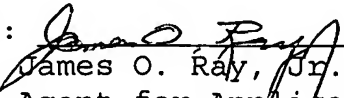
Because this reference does not include this sealing means and, in fact, teaches away from the use of a sealing means this rejection is believed to be in error. Accordingly, the Examiner is respectfully requested to withdraw his rejection of Claims 1-6 and 8-20 under 35 U.S.C. 102(b) as being anticipated by Fink (US 6,189,265).

Applicant further notes and appreciates the Examiner's indication that claim 7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412)380-0725 to resolve any remaining questions or issues by interview and/or by

Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

By: 
James O. Ray, Jr.
Agent for Applicant
Registration No. 27,666

JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725
FACSIMILE: 412-380-0748